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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/514,651	02/29/2000	MASANORI KAMATA	P18896	2074

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GREENBLUM & BERNSTEIN, P.L.C.
1950 ROLAND CLARKE PLACE
RESTON, VA 20191

EXAMINER

POON, KING Y

ART UNIT	PAPER NUMBER
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2624

DATE MAILED: 02/03/2004

4

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/514,651

Applicant(s)

KAMATA, MASANORI

Examiner

King Y. Poon

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 February 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 20-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 20-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 February 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☒ Certified copies of the priority documents have been received in Application No. 09/049,144.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.

- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. The preliminary amendment filed on 2/29/2000 has been entered.

Specification

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.
- 3.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 20-34 are rejected under 35 U.S.C. 102(b) as being anticipated by Matsunai (US 5,357,350).

Regarding claim 20: Matsunai teaches an image recording apparatus (fig. 1) comprising: a panel section (column 3, lines 15-18) which has at least an inputting key (18b, fig. 2) operable to input a numerical value corresponding to one of a number of sheets (column 5, lines 10-15) to be copied and a destination telephone number (facsimile number, column 5, lines 10-15); a plurality of execution sections (the system that performs the copy operation, e.g., column 8, lines 1-25 or the fax operation, column 7, lines 50-62), each execution section being adapted to execute an operation (fax or

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copy) corresponding to a mode selected as a current mode (fax mode or copy mode, fig. 5, fig. 4); a start key (column 5, lines 9-11) which is configured to transmit an instruction to an execution section (e.g., the fax operation, STP 28, fig. 5); a determination section (the function part/program of fig. 4, fig. 5) which is configured to determine whether or not the current mode (e.g., currently the machine is in fax mode STP 21, fig. 5) is the execution mode (the mode that the final operation is carry out, STP 28, or STP, 35, fig. 5, e.g., when the value is smaller than 5, the execution mode is copy mode) based on a numerical value input by the inputting key (STP 23, fig. 5); and a control section (the control part, column 5, lines 30-40, that controls the system of branching from STP 24, fig. 5) which is configured to prevent the execution section (the system that performs STP 28, of fig. 5) from executing the operation when the determination section determines that the current mode (fax mode, fig. 5) is a mode other than the execution mode, (copy mode, the number of digit entered by a user is smaller than 5, fig. 5) even if the start key is operated (yes to STP 32, fig. 5).

Regarding claim 21: Matsunai teaches the determination section being configured to make determinations using, as a threshold value, a numerical value (number 5, STP 24, fig. 5) smaller than the number of digits in a destination telephone number.

Regarding claim 22: Matsunai teaches wherein the execution mode comprises a copy mode (STP 33, fig. 5) in which the image recording apparatus operates to copy an original, and the mode other than the execution mode is a facsimile mode (fax mode,

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STP 21, fig. 5) in which the image recording apparatus operates to perform a facsimile communication (STP 30, fig. 5).

Regarding claim 23: Matsunai teaches wherein the execution mode (STP 11, STP 12, fig. 4) is a facsimile mode in which said image recording apparatus operates to perform a facsimile communication, and the mode other than the execution mode is a copy mode (STP 1, fig. 4) in which the image recording apparatus operates to copy an original.

Note: when claim 23 is depending on claim 20, fig. 4 would be used to meet the limitations.

The limitations of claim 20 is taught by Matsunai as: determination section (the function part/program of fig. 4) which is configured to determine whether or not the current mode (e.g., currently the machine is in copy mode, STP 1) is the execution mode (the mode that the final operation is carry out, STP 11, or copy operation, e.g., when the number of STP 6 reaches 5, column 1-10, the execution mode is the fax mode) based on a numerical value input by the inputting key (STP 5); and a control section (the control part, column 5, lines 30-40, that controls the system of branching from STP 6) which is configured to prevent the execution section (the system that performs copying operation) from executing the operation when the determination section determines that the current mode (copy mode) is a mode other than the execution mode (the fax mode, when the number reaches 5, STP6), even if the start key is operated (STP10).

Regarding claim 24: Matsunai teaches an image recording apparatus (fig. 1) comprising: a panel section (column 3, lines 15-18) which has at least an inputting key (18b, fig. 2) operable to input a numerical value corresponding to one of a number of sheets to be copied (column 5, lines 10-15) and a destination telephone number (facsimile number, column 5, lines 10-15); a copy section (the section that performs the copy operation, column 8, lines 1-25) which is configured to execute a copy operation when a copy mode in which the image recording apparatus operates to copy an original, is selected (copy mode, fig. 4); a facsimile communication section (the system that performs fax operation, column 7, lines 50-62) which is configured to execute a facsimile communication operation when a facsimile mode, (STP 7, fig. 4) in which the image recording apparatus operates to perform a facsimile communication, is selected; a start key (column 5, lines 9-11) which is configured to transmit an execution instruction to one of the copy section and the facsimile communication section; a determination section (the function part/program of fig. 4, fig. 5) which is configured to determine whether or not a numerical value input by the inputting key is a numerical value to be used in the copy mode (STP 4-STP 6, fig. 4); and a control section (the control part, column 5, lines 30-40, that control the system of branching from STP 6, fig. 4) which is configured to prevent the copy section from executing a copy operation (copy operation, fig. 4) when said determination section determines that the numerical value input by the inputting key is not to be used in the copy mode, (branch to yes, STP 6, fig. 4, when number of digits entered by a user reaches 5) even if the start key (STP 10, fig. 4) is operated to transmit the execution instruction.

Regarding claim 25: Matsunai teaches an image recording apparatus (fig. 1) comprising: a panel section (column 3, lines 15-18) which has at least an inputting key (18b, fig. 2) that is operable to input one of a numerical value corresponding to one of a number of sheets to be copied (column 5, lines 10-15) and a destination telephone number (facsimile number, column 5, lines 10-15); a copy section (the section that performs the copy operation, column 8, lines 1-25) which is configured to execute a copy operation when a copy mode, in which the image recording apparatus operates to copy an original, is selected (copy mode, fig. 5); a facsimile communication section (the system that performs fax operation, column 7, lines 50-62) which is configured to execute a facsimile communication operation when a facsimile mode, (STP 21, fig. 5) in which the image recording apparatus operates to perform a facsimile communication, is selected; a start key (column 5, lines 9-11) which is configured to transmit an execution instruction to one of the copy section and the facsimile communication section; a determination section (the function part/program of fig. 5) which is configured to determine whether or not a numerical value input by the inputting key is a numerical value to be used in the facsimile mode (STP 23, STP 24, fig. 5); and a control section (the control part, column 5, lines 30-40, that controls the system of branching from STP 24, fig. 5) which is configured to prevent the facsimile communication section from executing a facsimile communication operation (STP 28, fig. 5) when the determination section determines that the numerical value input by said inputting key is not to be used in the facsimile mode, (e.g., digits entered by a user is smaller than 5, fig. 5) even if the start key (STP 32, fig. 5) is operated to transmit the execution instruction.

Regarding claim 26: Matsunai teaches an image recording apparatus (fig. 1) comprising: a panel section (column 3, lines 15-18) which has an inputting key (18b, fig. 2) that is operable to input data related to one of a number of sheets (column 5, lines 10-15) to be copied and a destination (facsimile number, column 5, lines 10-15); a plurality of execution sections (the system that performs the copy operation, e.g., column 8, lines 1-25 or the fax operation, column 7, lines 50-62), each execution section being adapted to execute an operation (fax or copy) corresponding to a mode selected as a current mode (STP1, fig. 4); a start key (column 5, lines 9-11) which is configured to transmit an execution instruction to one of the plurality of execution sections; a digit number counting section (the device that counts, column 6, lines 60-63) which is configured to count a number of digits input with the inputting key; a mode switching section (STP 7, STP 1, fig. 4) which is configured to select a current mode (fax mode, fig. 4, based on the number is 5, a copy mode based on the number is smaller than 5, fig. 4) based on the number of digits counted by the digit number counting section (STP 6, fig. 4); and a control section (the control part, column 5, lines 30-40, that controls the system of branching from STP 6) which is configured to prevent an execution section of the plurality of execution sections from executing an operation (e.g., copy operation, fig. 4) when the number of digits counted by the digit number counting section is not equal to the number of digits to be used in the current mode (e.g., reaches 5, STP 6, fig. 4, column 7, lines 1-7) even if the start key (STP 10, fig. 4) is operated to transmit the execution instruction.

Regarding claim 27: Matsunai teaches wherein the image recording apparatus has a facsimile mode, (STP 7, fig. 4) in which the image recording apparatus operates to perform a facsimile communication, and a copy mode, (STP 1, fig. 4) in which the image recording apparatus operates to copy an original.

Regarding claim 28: Matsunai wherein the control section is configured to prevent an execution section corresponding to the copy mode from executing a copy operation (branch to fax mode, fig. 4).

Regarding claim 29: Matsunai teaches an image recording apparatus (fig. 1) comprising: a panel section (column 3, lines 15-18) which has an inputting key (18b, fig. 2) that is operable to input data related to one of a number of sheets (column 5, lines 10-15) to be copied and a destination (facsimile number, column 5, lines 10-15); a plurality of execution sections (the system that performs the copy operation, e.g., column 8, lines 1-25 or the fax operation, column 7, lines 50-62), each execution section being adapted to execute an operation (fax or copy) corresponding to a mode selected as a current mode (fax mode fig. 5); a start key (column 5, lines 9-11) which is configured to transmit an execution instruction to one of the plurality of execution sections; a digit number counting section (the device that counts, column 6, lines 60-63) which is configured to count a number of digits input with the inputting key; a mode switching section (STP 21, STP 33, fig. 5) which is configured to select a current mode (a fax mode, when the number is greater than 5 or a fax mode when the number is smaller than 5, fig. 5) based on the number of digits counted by the digit number counting section (STP 23, fig. 5); and a control section (the control part, column 5, lines

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30-40, that controls the system of branching from STP 24, fig. 5) which is configured to prevent an execution section of the plurality of execution sections from executing an operation (e.g., a fax operation, fig. 5) when the number of digits counted by the digit number counting section is not equal to the number of digits to be used in the current mode (e.g., smaller than 5, fig. 5) even if the start key (STP 32, fig. 5) is operated to transmit the execution instruction, wherein the image recording apparatus has a facsimile mode, (STP 21, fig. 5) in which the image recording apparatus operates to perform a facsimile communication, and a copy mode, (STP 33, fig. 5) in which the image recording apparatus operates to copy an original wherein the mode switching section is configured to select the copy mode (when the number is bellow 5, the machine is selected to stay in the copy mode, and when the number reaches 5, the machine is selected to be in the fax mode, fig. 5) when the number of digits counted by the digit number counting section is smaller than a predetermined threshold value (smaller than 5, STP 6, fig. 5) utilized during the facsimile mode (STP 21, fig. 5).

Regarding claim 30: Matsunai teaches a display section (STP 34, fig. 5, fig. 2) which is configured to display only a number of digits (number of copies, column 5, lines 18-20) which is smaller than or equal to the predetermined threshold value during the copy mode (STP 24, fig. 5).

Regarding claim 31: Matsunai teaches an image communication apparatus (fig. 1) comprising: a panel section (column 3, lines 15-18) which has an inputting key (18b, fig. 2) operable to input a numerical value corresponding to one of a number of sheets (column 5, lines 10-15) to be copied and a destination telephone number (facsimile

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number, column 5, lines 10-15); a plurality of execution sections (the system that performs the copy operation, e.g., column 8, lines 1-25 or the fax operation, column 7, lines 50-62), each execution section being adapted to execute an operation (fax or copy) corresponding to a mode selected as a current mode (fax mode or copy mode, fig. 5, fig. 4); a start key (column 5, lines 9-11) which is configured to transmit an instruction to an execution section (e.g., the fax operation, STP 28, fig. 5); a determination section (the function part/program of fig. 4, fig. 5) which is configured to determine whether or not the current mode (e.g., currently the machine is in fax mode STP 21, fig. 5) is the execution mode (the mode that the final operation is carry out, STP 28, or STP, 35, fig. 5, e.g., when the value is smaller than 5, the execution mode is copy mode) based on a numerical value input by the inputting key (STP 23, fig. 5); and a control section (the control part, column 5, lines 30-40, that controls the system of branching from STP 24, fig. 5) which is configured to prevent the execution section (the system that performs STP 28, of fig. 5) from executing the operation when the determination section determines that the current mode (fax mode, fig. 5) is a mode other than the execution mode, (copy mode, the number of digits entered by a user is smaller than 5, fig. 5) even if the start key is operated (yes to STP 32, fig. 5) to transmitted an execution instruction.

Regarding claim 32: Matsunai teaches an image recording apparatus (fig. 1) comprising a facsimile transmission function (column 7, lines 50-62) and a copy function, (column 8, lines 1-25) the image recording apparatus comprising: a panel section (column 3, lines 15-18) which has an inputting key (18b, fig. 2) operable to input

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a numerical value corresponding to one of a number of sheets (column 5, lines 10-15) to be copied and a destination telephone number (facsimile number, column 5, lines 10-15); a plurality of execution sections (the system that performs the copy operation, e.g., column 8, lines 1-25 or the fax operation, column 7, lines 50-62), each execution section being adapted to execute an operation (fax or copy) corresponding to a mode selected as a current mode (fax mode or copy mode, fig. 5, fig. 4); a start key (column 5, lines 9-11) which is configured to transmit an instruction to an execution section (e.g., the fax operation, STP 28, fig. 5); a determination section (the function part/program of fig. 4, fig. 5) which is configured to determine whether or not the current mode (e.g., currently the machine is in fax mode STP 21, fig. 5) is the execution mode (the mode that the final operation is carry out, STP 28, or STP, 35, fig. 5, e.g., when the value is smaller than 5, the execution mode is copy mode) based on a numerical value input by the inputting key (STP 23, fig. 5); and a control section (the control part, column 5, lines 30-40, that controls the system of branching from STP 24, fig. 5) which is configured to prevent the execution section (the system that performs STP 28, of fig. 5) from executing the operation when the determination section determines that the current mode (fax mode, fig. 5) is a mode other than the execution mode, (copy mode, number of digits entered by a user is smaller than 5, fig. 5) even if the start key is operated (yes to STP 32, fig. 5) to transmitted an execution instruction.

Regarding claim 33: Matsunai teaches a method of controlling an image recording apparatus (fig. 1) comprising a facsimile transmission function (column 7, lines 50-62) and a copy function, (column 8, lines 1-25) the method comprising:

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determining whether or not a selected mode (e.g., fax mode, fig. 5) is an execution mode (the mode that a copy operation is carried out or a fax operation is carried out, STP 28, STP 35, fig. 5) based on an input of a numerical value (STP 23, STP 24, fig. 5) corresponding to one of a number of sheets to be copied and a destination telephone number (column 5, lines 10-15); and preventing an execution section (the system that performs the fax operation, column 7, lines 50-62, and copy operation, column lines 1-25) from executing an operation (fax operation) when the selected mode (fax mode, fig. 5) is not the execution mode (copy mode, fig. 5, the execution mode is the copy mode because the number (digits entered by a user) is smaller than 5, fig. 5) even if a start key (STP 32, fig. 5) is operated to transmit an execution instruction to the execution section (column 5, lines 9-12).

Regarding claim 34: Matsunai teaches selecting one of a plurality of operation modes (copy mode or fax mode, fig. 5).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kamata (US 6,137,598) teaches an image recording apparatus.

Dash (US 5,969,826) teaches an image recording apparatus to use the number entered by a user to determine a function of the image recording apparatus.

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to King Y. Poon whose telephone number is (703) 305-0892.

1/30/04

King Yau Poon